



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Petitions, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on August 9, 2004  
(Date of Deposit)

James D. Wood

Name of person mailing Document or Fee

  
Signature

August 9, 2004

Date of Signature

Re:	Application of:	Vitale et al.
	Serial No.:	09/872,030
	Filed:	June 1, 2001
	For:	Communication System Work Order Performance Method and System
	Group Art Unit:	2163
	Examiner:	To be assigned
	Our Docket:	1504-0068

**TRANSMITTAL OF PETITION FOR REVIVAL (37 C.F.R. § 1.137(b))**

Please find for filing in connection with the above patent application the following documents:

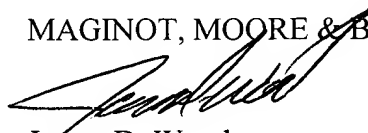
1. Petition for Revival (Form PTO/SB/64);
2. Petition Under 37 C.F.R. 1.47(a);
3. Check in the amount of \$1,460.00; \$1,330.00 for the Petition for Revival Fee and \$130.00 for the Petition Under 37 C.F.R. 1.47(a);
4. Response to Notice to File Missing Parts of Application;
5. Exhibits A and B;

6. Copy of Notice to File Missing Parts;
7. Copy of Notice of Abandonment Under 37 CFR 1.53;
8. Declaration and Power of Attorney Executed in Three Counterparts;
9. 9 Sheets of Replacement Drawings; and
10. One (1) return postcard.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 13-0014.

Respectfully Submitted,

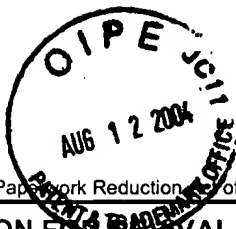
MAGINOT, MOORE & BECK



James D. Wood  
Registration No. 43,285  
Bank One Center/Tower  
111 Monument Circle, Suite 3000  
Indianapolis, Indiana 46204-5115

August 9, 2004

Enclosures



Under the Paperwork Reduction Project of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

1504-0068

First named inventor: Michael Vitale

Application No.: 09/872,030

Art Unit: 2163

Filed: June 1, 2001

Examiner: To be assigned **OFFICE OF PETITIONS**

Title: Communication System Work Order Performance Method and System

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

08/13/2004 HALI11 00000010 09872030

01 FC:1453

1330.00 0P

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Response to Notice to File Missing Parts (identify type of reply):

- ☐
- has been filed previously on \_\_\_\_\_
- 
- ☒
- is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ \_\_\_\_\_.

- ☐
- has been paid previously on \_\_\_\_\_
- 
- ☐
- is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Aug. 9, 2004  
Date

  
Signature

Telephone  
Number: (317) 638-2922

James D. Wood  
Typed or printed name

111 Monument Circle, Suite 3000  
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: 9 Sheets of Replacement Drawings, Petition under 37 C.F.R. 1.47(a)

Indianapolis, Indiana 46032  
Address

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Aug. 9, 2004  
Date

  
Signature

James D. Wood  
Type or printed name of person signing certificate



#7

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AUG 16 2004

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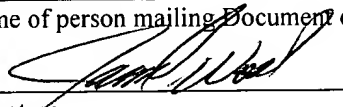
Commissioner of Patents  
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(Date of Deposit)

James D. Wood

Name of person mailing Document or Fee

  
SignatureAugust 9, 2004  
Date of Signature

## PETITION UNDER 37 C.F.R. 1.47(a)

Sir:

Application hereby petitions for acceptance of a declaration in the above referenced case executed by five of six co-inventors. The non-signing inventor refuses to join in the application and/or cannot be found. The \$130.00 fee required by 37 C.F.R. 1.17(h) is submitted herewith.

08/13/2004 HALI11 00000010 09872030

02 FC:1460 130.00 DP

08/31/2004 AKELLEY 00000006 130014 09872030

01 FC:1051 130.00 DA

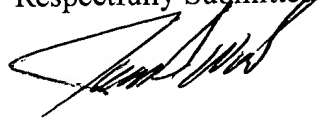
FACTS

The inventors in the above referenced case, entitled "Communication System Work Order Performance Method and System" are Michael J. Vitale, having a residence of 3644 Belgray Drive NW, Kennesaw, Georgia 30251 (hereinafter "Vitale"), Gerald K. Rudolf, having a residence of 1030 E. Edgewood Avenue, Indianapolis, Indiana 46227 (hereinafter "Rudolf"), Michael R. Wright, having a residence at 13060 Sweet Spring Court, Fishers, Indiana 46038 (hereinafter "Wright"), Kelly J. Scorzato, having a residence of 9114 N. Park Avenue, Indianapolis, Indiana a 46240 (hereinafter "Scorzato"), Robert J. McCammon, having a residence of 6602 Latona Drive, Indianapolis, Indiana 46278 (hereinafter "McCammon"), and Pingnan Shi, having a residence of 3387 Buckmoor Parkway, Greenwood, Indiana 46143 (hereinafter "Shi").

Vitale, Rudolf, Wright, Scorzato, and Shi have executed the Declaration and Power of Attorneys enclosed herein. McCammon refuses to join in the application and/or cannot be located. Specifically, attempts to contact Mr. McCammon based upon his last known address when he was employed by Acterna and based upon internet address searches were not successful. Consequently, Acterna, Mr. McCammon's former employer, obtained Mr. McCammon's address from Mr. McCammon's present employer. A correspondence including a draft of the application and a Declaration and Power of Attorney were sent to McCammon on June 16, 2004 at the address provided by his present employer (see Exhibit A).

Mr. McCammon has never responded to the letter. The June 16, 2004 letter was accompanied by a certified mail receipt. The certified mail receipt confirms the letter was delivered and signed for on June 18, 2004 (see Exhibit B). Mr. McCammon's lack of response indicates a clear refusal to cooperate in the application. In the alternative, it is submitted that Mr. McCammon "cannot be located" after diligent effort. Accordingly, it is respectfully submitted that the Declaration and Power of Attorneys executed by Vitale, Rudolf, Wright, Scorzato, and Shi be accepted on behalf of McCammon.

Respectfully Submitted,



James D. Wood  
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